

REMARKS

In the Office Action, the Examiner rejected all pending claims 1-8, 11-26, and 29-37. In view of the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 11-26, 29, and 35-37 under 35 U.S.C. § 102 (e) as being anticipated by Slattery et al. (U.S. patent no. 6,514,085; hereinafter “Slattery”). Applicants respectfully traverse this rejection.

Legal Precedent

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). Indeed, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). The prior art reference must show the *identical* invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Slattery Does Not Disclose a Controlled Computer or a Controlling Computer.

All independent claims 11, 20, 24, and 35 rejected under Section 102 recite, *inter alia*, a “controlled computer” and a “controlling computer.” In stark contrast, the Slattery system does *not* provide for a scheme where one computer (a “controlling computer”) controls another computer (a “controlled computer”). Instead, Slattery teaches that user devices 14_1 to 14_3 (*i.e.*, switches, relays) are controlled, and *not* a computer (*e.g.*, user [student] computer 28). *See, e.g.*, col. 3, lines 47-51; col. 5, lines 49-62; Fig. 1. Indeed, given this clear distinction, Applicants are puzzled that the Examiner relied on Slattery in

an effort to anticipate the present claims, particularly in view of the substantial prosecution that has already transpired in connection with the present application.

It should be noted that while the Slattery user computer 28 may be monitored by a mentor (via communications module 306 or equipment 906), the user computer 28 is *not* controlled by the mentor. *See*, col. 3, lines 47-51; col. 4, lines 16-18; col. 5, lines 49-62; col. 7, lines 40-54; Figs. 1, 3, and 9. The mentor, like the user, may control the user devices 14_1 to 14_3 (*e.g.*, switches, relays). However, the mentor does *not* control the user computer 28. *See, id.* Moreover, it should be emphasized that Slattery does *not* contemplate that its user devices 14_1 to 14_3 can be a computer having a screen display and program, as presently claimed. To be sure, Slattery provides neither for a “controlled computer” or a “controlling computer.”

Lastly, Applicants acknowledge that the Examiner cited column 7, lines 40-64 of Slattery as disclosing a controlled computer and a controlling computer, as presently claimed. *See, e.g.*, Office Action, pages 2-3. However, this portion of Slattery merely discloses that two users may collaborate (not control another computer), or that a mentor can monitor the actions taken by a user (*e.g.*, student). *See*, col. 7, lines 40-64. Plainly, while both the mentor (via equipment 906) and the student (via user computer 28) may control the user devices 14_1 to 14_3 (*e.g.*, switches, relays), the mentor only monitors the actions taken by the student and does *not* control the user computer 28. *See id.* In view of the foregoing, the Slattery reference cannot anticipate independent claims 11, 20, 24, and 35, or their dependent claims.

Slattery Does Not Disclose Identifying a Portion or Logical Block of the Screen.

Independent claims 11 and 20 recite, *inter alia*, “designating a *portion* of the screen at the controlled computer based upon the input event data and the program” (emphasis added). Independent claim 24 recites, *inter alia*, a system configured to “store *portions* of the interface screen identified by the controlled computer based upon input

events occurring at the controlling computer and based upon the program” (emphasis added). Independent claim 35 recites, *inter alia*, “identifying a *logical block* of the screen display affected by the input event at the controlled computer based upon the program and the input event data” (emphasis added).

Conversely, Slattery is absolutely devoid of any teaching of designating a portion of the screen (or identifying a logical block of the screen), much less designating a portion or identifying a logical block of the screen based upon an input event. The Examiner cited column 6, lines 19-46 in support of his assertion that Slattery teaches these features. However, this part of the Slattery reference merely mentions that a user can exercise control over the user devices 14_1 to 14_3 during a training exercise, and that a graphical interface (having buttons and hot links regarding the user devices) may be presented to the user. *See*, col. 6, lines 19-46. Again, this cited part of Slattery, as well as the entire Slattery reference, does *not* disclose designating a portion of the screen based upon an input event, or identifying a logical block of the screen based upon an input event. Accordingly, the Slattery reference cannot anticipate independent claims 11, 20, 24, and 35, or their dependent claims.

Slattery Does Not Disclose Transmitting Data Representative of the Logical Block.

Independent claims 11 and 20 recite, *inter alia*, “*transmitting* screen data representative of the *portion*” (emphasis added). Independent claim 35 recites, *inter alia*, “*transmitting* data representative of a *logical block* from the controlled computer to the controlling computer” (emphasis added). As discussed above, Slattery does not designate a portion of the screen or identify a logical block of the screen. Further, Slattery does not transmit data representative of such a portion or logical block. For this additional reason, Slattery cannot anticipate independent claims 11, 20, and 35, or their dependent claims.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 11-26, 29, and 35-37.

Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 1-8 and 30-34 under 35 U.S.C. § 103(a) as being unpatentable over Slattery, and further in view of Ross et al. (U.S. patent no. 6,608,628; hereinafter “Ross”). Applicants respectfully traverse this rejection.

Legal Precedent

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). To establish a *prima facie* case, the Examiner must show that the combination includes *all* of the claimed elements, and also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

Combination Does Not Disclose a Controlled Computer or a Controlling Computer.

Independent claim 1 recites a “controlled computer” and a “controlling computer.” Again, as discussed above, the Slattery system does *not* provide for a scheme where one computer (a “controlling computer”) controls another computer (a “controlled computer”). Further, the Ross reference also does *not* teach or suggest a “controlled computer” or a controlling computer,” and therefore, does not obviate this deficiency of Slattery. Instead, Ross discloses a collaborative environment where multiple users can simultaneously view and manipulate high-resolution images. *See, e.g.*, Ross, Abstract. Control of one computer by another is not taught or suggested by Ross. In view of the foregoing, claim 1 and its dependent claims are patentable over the cited combination. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 1-8 under 35 U.S.C. § 103(a).

Combination Does Not Disclose Identifying a Logical Block of the Screen.

Independent claim 1 recites, *inter alia*, “identifying via the controlling computer a *logical block* of the screen display affected by the input event at the controlled computer based upon the program and the input event data.” In contrast, as discussed above, Slattery does not teach or suggest identifying a logical block of the screen display based on an input event. Further, the secondary reference (Ross) does not obviate this deficiency of Slattery. For this additional reason, claim 1 and its dependent claims are patentable over the cited combination.

The Ross reference does not obviate the deficiencies of Slattery as discussed above with regard to independent claim 24. Therefore, dependent claims 30-34 are patentable over the cited combination because of their dependency on allowable base claim 24. Further, dependent claims 30-34 are also believed to be patentable by virtue of the subject matter they separately recite.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-8.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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